

## Message Text

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14

ACTION DLOS-06

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 ACDA-07 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00

H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01

OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

SAL-01 /127 W

----- 111300

R 032119Z SEP 76

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 947

INFO AMCONSUL VANCOUVER UNN

USMISSION USUN NY

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FROM AMBASSADOR RIDGWAY - U.S. FISHERIES DELEGATION

USUN FOR LOS DEL

E.O. 11652: N/A

TAGS: EFIS, CA, US

SUBJECT: U.S./CANADA FISHERIES NEGOTIATIONS

1. U.S. AND CANADIAN DELEGATIONS MET SEPTEMBER 1-3  
IN OTTAWA IN FIRST ROUND OF FORMAL NEGOTIATIONS LOOKING  
TOWARD A NEW FISHERIES TREATY. SUCH TREATY WOULD  
BE DESIGNED, IN CONJUNCTION WITH SALMON TREATY, BEING  
NEGOTIATED SEPARATELY, TO ESTABLISH NEW COMPREHENSIVE  
FRAMEWORK FOR U.S./CANADIAN FISHERIES RELATIONSHIP,  
FOLLOWING EXTENSION OF FISHERIES JURISDICTION BY  
BOTH NATIONS (CANADA BY JANUARY 1, 1977, U.S. ON  
MARCH 1, 1977).

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2. BOTH U.S. DELEGATION, HEADED BY AMBASSADOR ROZANNE RIDGWAY, AND CANADIAN SIDE, HEADED BY DR. L. H. LEGAULT, PUT FORTH PROPOSALS OUTLINING POSSIBLE CONCEPTUAL BASIS FOR AN AGREEMENT. THE FORMAL AND INFORMAL NEGOTIATING SESSIONS WERE DEVOTED TO EXPLANATION AND DISCUSSION OF THE TWO DOCUMENTS BY EACH SIDE.

3. NEGOTIATIONS CENTERED UPON DELINEATION OF CATEGORIES OF FISHERY STOCKS OF MUTUAL CONCERN AND ARRANGEMENTS TO GOVERN MANAGEMENT AND ACCESS TO THESE STOCKS. FOUR GENERAL CATEGORIES OF STOCK WERE RECOGNIZED IN A CONCEPTUAL SENSE: TRANSBOUNDARY STOCKS -- THOSE WHICH ARE SIGNIFICANTLY DISTRIBUTED ON BOTH SIDES OF ANY BOUNDARIES BETWEEN U.S. AND CANADIAN FISHERY ZONES; BOUNDARY AREA STOCKS -- THOSE WHICH ARE LOCATED IN THE VICINITY OF FUTURE BOUNDARIES BUT SIGNIFICANTLY DISTRIBUTED ONLY ON ONE SIDE OF SUCH BOUNDARIES; RECIPROCAL STOCKS -- THOSE CLEARLY LOCATED IN THE ZONE OF ONE COUNTRY WHICH ARE BEING FISHED BY NATIONALS OF THE OTHER STATE; AND STOCKS OF FUTURE INTEREST -- THOSE CLEARLY LOCATED IN THE ZONE OF ONE COUNTRY THAT MIGHT BE OF FUTURE EXPLOITATION INTEREST TO NATIONALS OF THE OTHER COUNTRY.

4. U.S. AND CANADIAN APPROACHES TO MANAGEMENT AND ACCESS TO TRANSBOUNDARY STOCKS AND TO RECIPROCAL STOCKS WERE ESSENTIALLY SIMILAR. HOWEVER, WITH RESPECT TO BOUNDARY AREA STOCKS AND STOCKS OF FUTURE INTEREST THERE WERE SIGNIFICANT DIVERGENCES IN VIEW. CANADA SUGGESTED JOINT MANAGEMENT FOR BOUNDARY AREA STOCKS THROUGHOUT THEIR RANGE WITH FIXED ALLOCATIONS OF TOTAL ALLOWABLE CATCH (TAC) FOR EACH STATE. U.S. SIDE PROPOSED THAT BOUNDARY AREA STOCKS BE MANAGED BY STATE THAT HAS PREDOMINANT INTEREST IN THE STOCK WITH FIXED PORTION OF TAC ASSURED TO OTHER STATE. FOR STOCKS OF FUTURE INTEREST, CANADA PROPOSED THAT EACH STATE ACCORD TO OTHER STATE A "RIGHT OF FIRST REFUSAL" TO ANY SURPLUS OF SUCH STOCKS. IN OTHER WORDS, U.S. AND CANADA WOULD ENJOY FIRST CRACK AT ANY SURPLUS STOCKS IN THE ZONE OF THE OTHER. U.S. COUNTERED BY LIMITED OFFICIAL USE

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ARGUING THAT SUCH STOCKS SHOULD BE MANAGED PURSUANT TO NATIONAL LEGISLATION OF EACH COUNTRY, POINTING OUT PRACTICAL INCONSISTENCY OF FIRST REFUSAL CONCEPT WITH CURRENT OBLIGATIONS TOWARD HISTORIC FISHING BY THIRD PARTIES.

5. CANADA PROPOSED CREATION OF COMMISSION TO PROVIDE FOR "COOPERATIVE" MANAGEMENT NECESSARY TO DEAL WITH

BOTH TRANSBOUNDARY AND BOUNDARY AREA. U.S., WHILE INDICATING OPEN MIND, INDICATED PREFERENCE FOR CONSULTATIVE ARRANGEMENTS IN WHICH ANNUAL CONSULTATIONS WOULD BE HELD TO DEAL WITH MANGEMENT OF TRANSBOUNDARY (THOUGH NOT BOUNDARY AREA) STOCKS. DIFFERENCES IN REGARD TO ORGANIZATIONAL STRUCTURE, HOWEVER, APPEAR TO BE MORE IN FORM THAN IN SUBSTANCE, AS COMMISSION PROPOSED BY CANADA WOULD MAKE RECOMMENDATIONS TO GOVERNMENTS RATHER THAN ITSELF REGULATE.

6. THIS FIRST ROUND OF NEGOTIATIONS RESULTED IN NARROWING OF DIFFERENCES ON SPECIFIC ISSUES AND HAD IMPORTANT EDUCATIONAL BENEFIT FOR BOTH SIDES IN DECIPHERING POSITION OF OTHER. TALKS, HOWEVER, REVEALED SIGNIFICANT SUBSTANTIVE DISAGREEMENTS WHICH PERHAPS CAN BEST BE SUMMARIZED IN INCOMPATIBILITY OF OBVIOUS CANADIAN OBJECTIVE OF INCREASING ITS FISHING EFFORT, ACROSS THE BOARD, OFF U.S. COASTS WITH U.S. EMPHASIS ON PROVIDING FOR CONTINUATION OF EXISTING FISHERIES, NOT EXPANSION BY EITHER STATE INTO NEW FISHERIES IN THE OTHER'S ZONE. PAPERS FORWARDED BY EACH SIDE REVEALED EFFORT TO RESOLVE LIVING RESOURCES PROBLEMS DERIVING FROM DISPUTED BOUNDARIES BETWEEN FISHERIES ZONES (PRIMARILY THAT IN AREA OF GEORGES BANK ON EAST COAST), THOUGH MUCH WORK CLEARLY REMAINS TO BE DONE TO BRIDGE SUCH DIFFERENCES. FINALLY, TALKS DEMONSTRATED COMMITMENT BY EACH SIDE TO SERIOUS AND SUCCESSFUL NEGOTIATIONS.

7. BOTH DELEGATIONS INCLUDED REPRESENTATIVES OF RESPECTIVE FISHING INDUSTRIES AND LOCAL GOVERNMENTS (STATE AND PROVINCIAL), AS WELL AS FEDERAL GOVERNMENT MEMBERS. THE TWO SIDES TENTATIVELY AGREED TO SCHEDULE A LIMITED OFFICIAL USE

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ROUND OF INFORMAL CONSULTATIONS BETWEEN U.S. AND CANADIAN FEDERAL GOVERNMENT MEMBERS IN LATE SEPTEMBER AND A SECOND ROUND OF NEGOTIATIONS BETWEEN FULL DELEGATIONS OCTOBER 18-22.

8. U.S. DELEGATION WISHES TO EXPRESS ITS APPRECIATION TO EMBASSY OTTAWA FOR ITS COOPERATION AND ASSISTANCE. DUEMLING

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